

1 engineering services and accounting services and that sort of
2 thing --

3 Q Well, I'm not arguing, I'm not arguing, I'm not
4 arguing with you what constitutes control, the factors, but I
5 believe I asked you questions yesterday about whether de facto
6 control is something to be considered under 73.3555, and you
7 indicated to me, under your interpretation, that the exemption
8 only concerned itself of whether National Minority was
9 minority controlled, and the fact that whether it might or
10 might not be controlled by Trinity was not a factor to be
11 considered. Now, apparently, you're, you're, you're changing
12 your testimony.

13 A No, sir, I don't -- what I mean to communicate is,
14 is that I did not, in the way in which these organizations
15 were constituted, believe that a de facto control issue was
16 existent between the two companies, because I looked to the
17 board of directors as the locus of control and essentially the
18 ownership of the companies, and that was the basis upon which
19 I advised my client and made a determination that they were
20 compliant.

21 Q That may be so, but you do recognize that seven,
22 under 73.3555, it's not permissible for TBN to exercise
23 control over National Minority?

24 A Yes, sir. I mean I recognize that the control
25 question would be -- yes, sir, I recognize that.

1 Q And that it's a violation of 73.3555. Isn't that
2 true?

3 A In -- yes, sir, in the way you're asking it. Yes,
4 sir.

5 Q Well, not only that, isn't it a fact, sir, that when
6 you rendered, and I would refer you to Bureau Exhibit 119 --
7 well, first of all, I think we could, we could agree we could
8 stipulate that the report and order permitting the exemption
9 was released August 3rd, 1984. Isn't that correct?

10 A I, I don't, I don't know.

11 Q It isn't? I have it right here. I have it right
12 here. 1984.

13 A Yes, it, if it was substantial --

14 Q Pardon me?

15 A Oh.

16 Q 1984, it was according -- you can look at 100 FCC
17 2nd. That's the date of release.

18 A -- I would --

19 Q Which was almost two years before the Odessa
20 transaction. Isn't that true?

21 A Yes, sir. I guess so.

22 Q Well, you can examine here and see what the date,
23 release date is. I have it.

24 A I don't, I don't have it in front of me, but if it's
25 being stipulated to, yes.

1 Q Well, here, look, look at it. Well, okay, I mean,
2 Mr. Topel, if you want to see, you can see it, too.

3 MR. TOPEL: No, Your Honor.

4 BY JUDGE CHACHKIN:

5 Q All right. There -- I believe there had been
6 testimony that this was something that came down the pipe just
7 at the time of Odessa, but I -- hey, perhaps I'm wrong, but
8 the record does reflect, this, it does -- I have the release
9 date here and it's, as I pointed out, August 3rd, 1984, which
10 was almost two years before the purchase agreement in Odessa.

11 A Yes, sir.

12 Q Now when you -- now if you would look at 119, Bureau
13 Exhibit 119, and I specifically refer you to paragraph two.
14 And also I think before we even that, we could also stipulate,
15 I believe, as the designation points out, that at the time
16 that the report and order came down, we didn't have to worry
17 about -- Trinity didn't have to worry about exemptions since
18 it only had 11 stations at that time. The problem did not
19 arise until Trinity tried to acquire Odessa, the Odessa
20 station. Isn't that true?

21 A That's what triggered the need to, of, of filing to
22 this exception of the rule.

23 Q Yes. And now if you'll look at, like I said, 119,
24 paragraph two, which refers to your, your inclusion of a
25 clause. You see that?

1 A Yes, sir.

2 Q In the purchase agreement, which you prepared, I, am
3 I correct?

4 A I'm sorry, I was looking at the cover letter. Did
5 you want me to look at the purchase agreement?

6 Q Well, yes, let's look now at the purchase agreement
7 itself, which is page -- and specifically to page eight.

8 A In Bureau Exhibit?

9 Q 122.

10 A 122.

11 Q And it states there as to, under 7A, and I quote:
12 accordingly, buyer will be required to establish compliance
13 with rule 73.3555(d)(1)(A) and 73.3555(d)(2)(A), 47 C.F.R.
14 Section 73.3555(d)(1)(A) and (d)(2)(A), before the assignment
15 specified herein can be approved by the FCC. Do you see that?

16 A Yes, sir.

17 Q And what does 73.3555(d) say?

18 A Well, I believe that was the section that dealt with
19 the minority ownership exemption under the rules where it
20 permitted --

21 Q No, no, that's not what it says. (d)(1) says,
22 quote, as I quoted for you yesterday: "No license for
23 commercial AM, FM, or TV broadcast station shall be granted,
24 transferred, or assigned to any party (including all parties
25 under common control) if the grant, transfer, or assignment of

1 such license would result in such party or any of its
2 stockholders, partners, members, officers, or directors,
3 directly or indirectly owning, operating, or controlling, or
4 having a cognizable interest in either, more than 14 stations
5 in the same service, more than 12 stations in the same service
6 which are not minority controlled." That's what you said you
7 had to comply with.

8 A Yes, sir.

9 Q Well, then you recognize then that TBN could not
10 exercise control over NM -- over National Minority, if it, in
11 order to stay within the, the provisions of the rules, in
12 order to comply with the rules, didn't you?

13 A No, sir. What, what we went through yesterday and
14 what I went through again today is that (d)(1) and (d)(2) are
15 then des-- described in terms of what the Commission means by
16 that control, that minority control, for purposes of
17 determining the 14-station ceiling rather than a 12-station
18 ceiling. And it specifically states minority control under
19 part (d)(3)(iii), minority control means more than 50-percent
20 owned by any, by, by one or more members of a minority group.

21 Q Mr. Topel?

22 A And that's the determination on which it's made.

23 Q Mr. Topel, do you have a copy of the rules to show
24 the witness what (d)(1) says.

25 A I believe I have it in my direct testimony is what,

1 what I've been referring to.

2 Q Well, look at what (d)(1) says.

3 (Asides.)

4 Q Now what does (d)(1) say, sir?

5 A It says: "No licensee for a commercial AM, FM, or
6 TV broadcast station shall be granted, transferred, or
7 assigned to any party (including all parties under common
8 control) if the grant, transfer, or assignment of such license
9 would result in any such party or any of its stockholders,
10 partners, members, officers, or directors, directly or
11 indirectly owning, operating, or controlling, or having a
12 cognizable interest in either." And then the sub part is:
13 "More than 14 stations in the same service, or more than 12
14 stations in the same service which are not minority
15 controlled." And then if you --

16 Q That's what it said that you were required to comply
17 with. That's what your purchase agreement says.

18 A Yes, sir.

19 Q That TBN could not control, exercise control over
20 National Minority, the minority-controlled company. Isn't
21 that what it --

22 A Well, yes, sir. We, we had to comply with that
23 rule, and the exception under the rule, which we were seeking
24 approval for, was in the context of a minority-controlled
25 organization, National Minority TV. And National Minority met

1 the definition of minority-controlled for purposes of this
2 rule.

3 Q I under --

4 A And permitted then not extra ownership interest to
5 be had.

6 Q But doesn't it say there that, that the, the entity
7 -- well, you just read it. You can't, that you can't -- no
8 license shall be granted --

9 A Except --

10 Q -- where, quote, where TBN, let's put TBN in there,
11 will indirectly control, operate, or control, or have a
12 cognizable interest in.

13 A In more than, in 12 --

14 Q That's right.

15 A But you can have up to 14 if it's a minority
16 controlled entity under which you hold the interest.

17 Q I understand that. I'm not arguing. The question
18 is it minority controlled if it's controlled -- if TBN
19 exercises control. Is it minority controlled under that
20 situation?

21 A With NMTV is minority --

22 Q No, wait a minute. Is it minority controlled where
23 the evidence establishes that TBN exercises control over
24 National Minority? Is that minority controlled?

25 A I, I guess I'm just having trouble following, Your

1 Honor. When you say that the evidence --

2 Q I've asked you a simple question. Is it minority --
3 is NMTV minority controlled where TBN exercises control over
4 National Minority?

5 A I recognize that's a de facto control question, but
6 it's not one that I considered in the context of evaluating
7 this rule, advising my client, and setting this in motion.

8 Q Well, you certainly put it in the purchase -- by, by
9 reading of the purchase agreement, it certainly appears that
10 you were fully aware of what you had to comply with.

11 A We knew we had to comply under this exception to the
12 multiple ownership rule. That's precisely why --

13 Q Well.

14 A -- it was there, and why we went forward according.

15 Q The document is there and the language of the rule
16 has now been read two or three times, and the parties can take
17 into consideration determining whether or not you were aware
18 of what was, had to be complied with.

19 MR. COHEN: I just have --

20 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

21 MR. COHEN: I just have one, one more matter and
22 then one other question. Mr. Topel spent a fair amount of
23 time, Mr. May, reviewing various documents that were filed, to
24 wit, they're in TBF Exhibit 120 principally, and in TBF
25 Exhibit 121. And I want to be very fair with you in terms of

1 is, the questions I put to you about candor. I, I want to
2 make sure that I'm very clear on this. And here's what I, I
3 wanted to ask you. First of all, please turn to TBF
4 Exhibit 121, paragraph 18, page 18.

5 MR. TOPEL: -- Mr. Cohen, we'd ask for the same
6 indulgence to find all this paper.

7 MR. COHEN: Sure. Yes. I'll, I'll give you all the
8 time you, you need.

9 MR. TOPEL: Okay. I've got it.

10 MR. COHEN: And spend as much time as you need, read
11 beginning at section paragraph 18. Read that. It begins on,
12 on Bate stamp 17, continuing onto 18. Read it to yourself and
13 then tell me when you're ready. Tell me when you're ready.

14 MR. MAY: Yes, sir. I've read it.

15 MR. COHEN: Okay. Now in terms of being candid, the
16 sentence I have reference to says: Charlene Williams, the
17 head of Trinity's Computer and Accounting Department, is a
18 salaried employee of TBN. Now I imagine you believe that's a
19 candid statement.

20 MR. MAY: Yes, sir. I believe it's accurate and
21 candid.

22 MR. COHEN: But what it doesn't state, and now I'm
23 reading from your testimony at paragraph 24, and what it
24 doesn't state is that Charlene Williams was head of the
25 Computer and Accounting Department and that department

1 provided NMTV with business and accounting services, such as
2 accounts payable and payroll processing. Now I don't
3 understand how one could seriously maintain that it's candid
4 to mention Charlene Williams as the head of Trinity's Computer
5 and Accounting Department without telling the Commission what
6 services the Accounting Department provided for NMTV.

7 MR. MAY: Well, I don't mean to argue with you,
8 Mr. Cohen, but I mean the fact is I thought it was candid, I
9 thought it was accurate. I do regard those services as being
10 ministerial. I wish to heaven I had put it in there. I wish
11 to heaven I had put it in there a lot earlier. But, but I
12 certainly never consciously concealed it, or made a decision
13 that it shouldn't be disclosed because there's some lotharios
14 purpose or some awful meaning or reasoning behind it.

15 MR. COHEN: Well, I, I, I'm not going to try to even
16 begin to, to answer those -- to deal with those questions.
17 That's not what I want to do. I just wanted to make clear for
18 the record that such -- well, the record will speak for
19 itself. And I want to ask you something else and then I'm
20 done with this. I've read paragraph 24 of your testimony
21 careful, and I've tried in this period of time that I've had
22 this morning to read the documents Mr. Topel has supplied, and
23 I find no reference whatsoever in any of the documents that
24 Mr. Topel asked you about, to the information that's set forth
25 at the bottom of paragraph 24 of your testimony, going on to

1 the end of paragraph 24.

2 JUDGE CHACHKIN: And now we're talking about
3 Exhibit 105?

4 MR. COHEN: Yes, and I, I would like very much to be
5 fair to you, and take as much time as you need, for you to
6 review that and tell me whether any of the material that's in
7 your written testimony as I just described is set forth in the
8 documents that Mr. Topel put, put to you. And take as much
9 time as, as you need.

10 JUDGE CHACHKIN: And you're talking about page 17 of
11 TBN --

12 MR. COHEN: I'm talking about page 15 of his
13 testimony, at the very bottom, Your Honor.

14 JUDGE CHACHKIN: All right.

15 MR. COHEN: Beginning after Tab O.

16 JUDGE CHACHKIN: Yes.

17 MR. COHEN: Through the end of paragraph 24.

18 MR. MAY: I'm going to try to do this in a general
19 way with you, and then make specific reference to documents
20 which I may not have in front of me, but I can recall what the
21 documents are.

22 MR. COHEN: Do it in any way that you can do it.

23 MR. MAY: The program affiliation agreement, that
24 was specifically disclosed to the Commission in the context of
25 the May, '91, papers that have been filed in the Wilmington

1 matter. I also, incidentally, I had communications, I believe
2 as I have testified to re the Commission's stamp processing
3 the original assignment application involving Odessa, in which
4 I made clear that this station in Odessa would be carrying
5 Trinity programs. For TBN to advance loans and provide an
6 open line of credit for NMTV, I believe that those disclosures
7 are contained similarly in the early May, '91, documents filed
8 in the Wilmington matter, and, and documents filed in the
9 Wilmington matter. That's what I recall.

10 JUDGE CHACHKIN: This in response to petition
11 denied.

12 MR. MAY: Yes, sir. For TBN to provide NMTV with
13 business and accounting services, such as accounts payable,
14 payroll processing, and the like, this disclosure along with
15 the fact that they shared certain common officers and
16 employees are likewise disclosures that were made in the
17 Wilmington matter and proceeding forward as it was
18 incorporated into this proceeding. We went through this
19 morning and showed that in other contexts, the fact that
20 Mrs. Duff and Matthew Crouch, who had been an assistant
21 secretary, etc., were, were also officers of National Minority
22 and TBN --

23 MR. COHEN: Well, let me just interrupt you to ask
24 you this question.

25 MR. TOPEL: Your Honor -- the question.

1 MR. COHEN: Well, this is a long narrative, Your
2 Honor. Well, it, I think I --

3 MR. TOPEL: Mr. Cohen says he wants to be fair to
4 the witness, and then he cuts the witness off.

5 JUDGE CHACHKIN: Let's, what is it, what is it,
6 Mr. Cohen? Mr. Cohen, what, what do you want to say? Then
7 I'll --

8 MR. COHEN: Yes, I do want to be fair to the
9 witness.

10 JUDGE CHACHKIN: -- when I hear what Mr. Cohen has
11 to say.

12 MR. COHEN: I would like, what I'd like you to do
13 here, if you're going to give a narrative, is to go through
14 this item by item, and it seems to me you're skipping.

15 MR. TOPEL: Well, that's not how the question was
16 asked.

17 MR. COHEN: Well, then I ask your indulgence. I'll
18 ask specific questions then, Your Honor, to, to --

19 JUDGE CHACHKIN: Perhaps we can move along.

20 MR. COHEN: -- to help Mr. Topel, okay, strike
21 that. I'll ask specific questions.

22 MR. TOPEL: The documents are in the record, Your
23 Honor.

24 JUDGE CHACHKIN: I'll speak, I'll ask the -- he's
25 trying to -- from the witness when these disclosures were

1 made.

2 BY MR. COHEN:

3 Q Exactly. Now let me ask you this, is it your
4 testimony that the Commission was informed that NMTV, that TBN
5 was going to provide an open line of credit for NMTV? Is it
6 your testimony that that, that that matter was disclosed to
7 the Commission?

8 A I believe that the Commission, as I've testified
9 previously, when the Odessa application was being processed, I
10 specifically noted to the processing people that the reason
11 this application is certified and where the loan money would
12 be coming from was from the Trinity Broadcasting Network. Now
13 I don't know that I used the phrase open line of credit, but
14 that there was a financial connection and that Trinity would
15 be providing the money. You can go back even further to the
16 1980/81 time frame in which they filed a series of Translator
17 applications where it was disclosed that Trinity was providing
18 the money for those applications as well.

19 Q Well, let me ask you this, Mr. May, up until the
20 time that, that TBN and NMTV responded to the Commission's
21 March 30, 1992, letter, had it ever been disclosed to the
22 Commission how much money TBN had advanced to NMTV?

23 A I don't know that a specific dollar amount had ever
24 been disclosed, sir.

25 Q Had it ever been disclosed what the terms of the

1 advance had been?

2 A I don't, I don't know that it had, sir. The, it, I
3 mean the fact that it was occurring certainly had been
4 disclosed.

5 Q Had the, the security or lack of security for the
6 loan or loans ever been disclosed to the Commission up until
7 March 30, 1992?

8 A Well, I don't, I don't know. No. No, sir, I don't
9 believe so. I don't know that that's in -- oh, okay, I just
10 answered your question.

11 Q And continuing on, had it ever been disclosed in any
12 of the documents that were filed prior to the March 30, 1992,
13 letter, that TBN was providing NMTV with business and
14 accounting services, such as accounts payable and payroll
15 processing?

16 A I mean perhaps not in that context, but I don't know
17 that I've ever thought those things through. I -- they were
18 ministerial functions. I don't know that I ever really
19 thought about it.

20 JUDGE CHACKIN: It's a simple answer. Was it or
21 was it not disclosed?

22 MR. MAY: I, I don't know that I recall that it was.

23 BY MR. COHEN:

24 Q Was it ever disclosed to the Commission that Trinity
25 was providing ministerial functions which were not identified?

1 A It was shown that they shared common officers and
2 directors, and, and that in the performance of any
3 corporation, you do that through people, and those people are
4 officers and directors.

5 Q My question, sir, is was it ever stated to the
6 Commission that Trinity provided min-- what you have called
7 ministerial services, on behalf of NMTV?

8 A For the reasons I've just expressed, I believe that
9 that has been disclosed, yes.

10 Q And tell me how was it, how it was disclosed?

11 A Corporations operate through the people that make
12 them up, and when you have people from one to the other that
13 are, are doing the services. I can't tell you honestly that
14 it was ever specifically said that so and so is providing
15 these ministerial services.

16 Q Was it ever --

17 A Until the point in time you mentioned.

18 Q Was it ever disclosed in any of the documents that
19 Mr. Topel has brought to your attention that NMTV was to use
20 and have access to two TBN employees to aid in engineering
21 matters, station and studio construction, and FCC
22 applications?

23 A The fact that the same individuals were performing
24 the same functions for these two companies was disclosed by
25 virtue of those people being in the applications. I believe

1 that was disclosed.

2 Q And was, was it disclosed then thus to the
3 Commission that NMTV was to use and have access to TBN
4 employees to aid in engineering matters?

5 A Yes, and then the same person was performing those
6 functions.

7 Q Was Ben Miller's functions -- were Ben Miller's
8 functions on behalf of NMTV ever disclosed to the Commission
9 prior to March 30, 1992?

10 A We, we just went through a series of license
11 applications that Mr. Miller signed on behalf of National
12 Minority.

13 Q That's not my question. Were his functions, what he
14 did for NMTV, the role that he played, the, the --

15 A It was disclosed that he was the individual
16 preparing as a technical consultant or a technical director
17 these applications and these materials.

18 Q Was it ever disclosed that he had, that he approved
19 purchase requisitions?

20 A No, I don't know.

21 Q Were they -- no?

22 A I don't know. I don't recall that that was until
23 later on when the proceedings in Wilmington began.

24 Q Was it ever disclosed that he, that he had
25 supervised the chief engineer of Portland and Odessa?

1 A I don't know that I agree with that characterization
2 that he supervised anybody. I believe -- I don't believe
3 that's the case.

4 Q Are you familiar with the, with the record evidence
5 in this case that the, concerning documentation from
6 Mr. Miller to Mark Fountain and to the fellow who was chief
7 engineer in Odessa when Odessa was on the air?

8 MR. TOPEL: Well, Your Honor, I would object to the
9 witness being asked about documents that he's not, that's he's
10 not being shown.

11 JUDGE CHACHKIN: All right. I'll, I'll sustain the
12 objection.

13 MR. COHEN: Very well.

14 JUDGE CHACHKIN: The witness is, you have the
15 witness --

16 MR. COHEN: Okay. All right. Your point is well
17 taken, Your Honor. I, I, that's, I don't want to pursue that
18 anymore. You're, you're absolutely right, though.

19 COURT REPORTER: Excuse me.

20 (Off the record. Back on the record.)

21 COURT REPORTER: All right.

22 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

23 BY MR. COHEN:

24 Q Was it ever sub -- was the Commission ever informed
25 or was it ever set forth in the documents Mr. Topel made

1 reference to that NMTV was to have similar insurance and
2 benefit plans as those as TBN?

3 A Again, I think it was disclosed in the Wilmington
4 proceeding. I don't know that there was a time prior to that,
5 that that was ever disclosed. I do regard those as being
6 jointly ministerial, however.

7 Q I have no more questions in that line. I just have
8 one mother -- one other thing I want to ask you about. In
9 reviewing my notes, I think I wasn't clear on something.
10 You've testified about your conflict discussions with
11 Mrs. Duff, and you've testified about a con-- a conversation
12 you had with Norman Juggert, and you've testified about a
13 conversation you had with Paul Crouch. Do you have any
14 recollection of any specific conversations regarding conflicts
15 where you got authorization to proceed with any other TBN
16 official?

17 A Yes, I think I have indicated that there is a
18 grouping of people at TBN whom I would communicate with.

19 Q Tell me who they are.

20 A Well, at various times it could have been Mr. Phil
21 Crouch.

22 Q You say could have been, now that does --

23 A Well, I'm, I'm identifying the pool of people from
24 which I normally communicated and spoke to that kind of issue
25 about, or that I did speak to conflict questions about through

1 the years.

2 Q Okay. Philip Crouch.

3 A And Mr. Terry Hickey.

4 Q Terry Hickey.

5 A And Mr. Al Brown.

6 Q Al Brown.

7 A And Ms. Ruth Brown, Mr. Norm Juggert, Dr. Crouch,
8 Matthew Crouch. And that's what I recall right now. There
9 may be one or two other people that just don't come to mind.

10 Q Now the record will speak for itself on this, but
11 Philip Crouch served as an officer of NMTV, Terry Hickey
12 served as an officer of NMTV, Al Brown served as an officer of
13 NMTV, Ruth Brown never served as an officer of NMTV to my
14 knowledge. So it's your testimony that you would, that you
15 have sort of a general recollection of talking with these
16 persons, but you don't have any specific recollection of
17 talking to them about any particular conflict matter. Is that
18 a fair summary of your testimony?

19 A Other than what I've testified to previously.

20 Q Yes. So that's a fair summary of your, of your
21 testimony?

22 A Generally, yes, other than what I've testified to.

23 Q Okay. I have no further questions.

24 JUDGE CHACKIN: How long does the Bureau have,
25 anticipate?

1 MR. SCHONMAN: Your Honor, I, I would say about
2 15 minutes.

3 JUDGE CHACHKIN: Well, all right. There is a, I
4 will give you an opportunity to ask some questions certainly
5 with the questions I asked, because you didn't have an
6 opportunity, if you want to, Mr. Topel, it's up to you. But
7 how much more -- you are -- I, I would suggest that we should
8 finish this before and, and just recess rather than take our
9 lunch now.

10 MR. SCHONMAN: I, I, I would agree with that. We
11 could go straight through.

12 MR. TOPEL: Yes, I, I would --

13 JUDGE CHACHKIN: All right. Let's, let's proceed
14 then.

15 BY MR. SCHONMAN:

16 Q Okay. Mr. May, can you turn to Bureau Volume Number
17 Three, specifically Exhibit Number 129, and that is the
18 application that was filed for, on behalf of NMTV to acquire
19 the Odessa station.

20 A Yes, sir.

21 Q Do you have the Odessa application before you?

22 A Yes, sir.

23 Q Would, would you agree that the information
24 contained in the Odessa application is substantially similar,
25 if not identical, to the information that is contained in the

1 Portland application that was filed for NMTV?

2 A I believe that's the case, yes, sir.

3 Q Okay. That being the case, I'm just going to refer
4 you then to the Odessa application so that we don't have to
5 flip back and forth.

6 A Okay.

7 Q Would you turn to page 25 of Bureau Exhibit Number
8 129.

9 A Yes, sir.

10 Q Now you'll notice on page 25 of this exhibit, there
11 is a question number six?

12 A Yes, sir.

13 Q And that question inquires of NMTV: does the
14 applicant or any party to this application have any interest
15 or connection with the following. And among the following is
16 an AM, FM, or TV broadcast station. And the answer is yes. A
17 broadcast application pending before the FCC; and the answer
18 is yes. And then there is another question below that: has
19 the applicant or any party to this app-- to this application
20 have any interest in, connection with the following. And it
21 has a number of items there. My question for you is with
22 respect to question number six, what did you believe that
23 question was seeking, what type of information?

24 A Basically what the other broadcast interests of the
25 principles of the applicant were.

1 Q All right. And in response to this question, you
2 provided what is Exhibit Number 1. Is that correct?

3 A Yes.

4 Q So let's turn to Exhibit Number 1, and that begins
5 on page 32 and continues for several pages. Now among the
6 things that Exhibit 1 does not mention is any reference to
7 NMTV or TTI, as the company was called prior to that, that
8 there were joint board meetings. There is no reference in
9 Exhibit 1 to joint board meetings.

10 A Yes, sir, that's true.

11 Q With TBN. And, as another example, there's no
12 reference in Exhibit 1 to the fact that NMTV was included in
13 joint financial statements with TBN.

14 A Yes, sir, that's true.

15 Q And there was no reference in Exhibit 1 to the fact
16 that NMTV shared the same attorneys with TBN, yourself and
17 Norm Juggert, is that correct?

18 A Nothing specific. However, I certainly submitted
19 the transmittal, and in Trinity filings, likewise, I submitted
20 the transmittal along with --

21 Q No, in, in Exhibit 1, there is not reference --

22 A No, sir.

23 Q -- that NMTV shared the same attorneys with TBN?

24 A No, sir.

25 Q Turn back to page 22 of this, of this exhibit. Do

1 you see the address for National Minority TV?

2 A Yes, sir.

3 Q What's the address there?

4 A Post Office Box C11949, Santa Ana, California.

5 Q What's the zip code?

6 A 92711.

7 Q Is there any indication that this is the same
8 address for Trinity Broadcasting?

9 A No, sir, other than that other forms on file at the
10 Commission would have reflected the same address in the name
11 of Trinity.

12 Q Listen to my question. Is there any indication in
13 this application that that address is the same address for
14 Trinity?

15 A No, sir.

16 Q Would anyone reading this application know that that
17 address is the same address for Trinity?

18 A It's possible. You asked me if any individual could
19 know. It's possible they would have known it was the same
20 address.

21 Q They could derive that information from, from the
22 four corners of this application?

23 A You asked me if it's possible.

24 JUDGE CHACHKIN: Is it reasonable to con-- to
25 conclude from the four corners of this application that a

1 person reading this address would, would know that this is the
2 address of Trinity?

3 MR. MAY: No, sir.

4 JUDGE CHACHKIN: Go ahead, Mr. Schonman.

5 RE-CROSS EXAMINATION

6 BY MR. SCHONMAN:

7 Q All right. Now on page 24 of this application,
8 Mrs. Duff identifies herself as the initial P. Jane Duff.

9 A Yes, sir.

10 Q And she has held herself out in other Commission
11 filings as merely Jane Duff, correct?

12 A I believe so, yes, sir.

13 Q So she has used, she has referred to herself in
14 different ways in Commission filings?

15 A Yes.

16 Q Okay. Is there any reference in this application
17 that Mrs. Duff was a salaried employee of TBN and that her
18 title was assistant to the president of TBN?

19 A Not in this application, no sir.

20 Q All right. Turn to page 36, and this is part of
21 Exhibit 1. Do you have that?

22 A Yes, sir.

23 Q At the top, you are talking about Mr. Crouch, and it
24 talks about interests in various LPTV and Television
25 Translator facilities. And my question is, is there anywhere